

REMARKS

In the Office Action, the Examiner rejected claims 1-28. By this paper, Applicants amended claims -4, 9, 18, 21, and 23-28. These amendments do not add any new matter. Upon entry of these amendments, claims 1-28 remain pending in the present application and are believed to be in condition for allowance. In view of the foregoing amendments and the following remarks, Applicants respectfully request reconsideration and allowance of all pending claims.

Claim Objections

In the Office Action, the Examiner objected to claims 3 and 4 as having typographical errors. Although Applicants do not necessarily agree with the Examiner's objection, Applicants amended the claims as set forth above. In view of this amendment, Applicants respectfully request the Examiner withdraw the objection to the claims.

Rejections Under 35 U.S.C. § 101

In the Office Action, the Examiner rejected claims 26-28 under Section 101 as being directed to non-statutory subject matter. Applicants respectfully traverse this rejection. However, the rejection is believed to be moot in light of the amendments made to claims 26-28. Accordingly, Applicants respectfully request the Examiner withdraw the rejection and allow the claims.

Rejections Under 35 U.S.C. § 102

The Examiner rejected claims 1-5, 9-12, 15-18, 20, 21, and 23-28 under 35 U.S.C. § 102 as being anticipated by Uchida (U.S. Patent No. 6,751,734). Applicant respectfully traverses this rejection. A *prima facie* case of anticipation under 35 U.S.C. § 102 requires a showing that each limitation of a claim is found in a single reference, practice or device. *In re Donohue*, 226 U.S.P.Q. 619, 621 (Fed. Cir. 1985).

The present independent claims generally recite authentication of the user at the wireless biometric device, and not at the system in which the user is subsequently logged

in. In contrast, Uchida discloses authentication of user separate from the portable unit 1. *See* Figure 1. Indeed, quite the opposite of the present claims, it is the receiving system that is the authentication executing device 2 in Uchida. *See* col. 9, lines 32-45; col. 10, lines 7-11; Figure 1. Therefore, all claims are patentable over the cited reference. Accordingly, Applicants respectfully request the Examiner withdraw the foregoing rejection and allow the claims.

Claim Rejections under 35 U.S.C. § 103(a)

The Examiner rejected dependent claims 6, 13, 19, and 22 under 35 U.S.C. § 103(a) as being unpatentable over Uchida (U.S. Patent No. 6,751,734), in view of Wong et al. (U.S. Patent No. 6,260,021); and dependent claims 7, 8, and 14 as being unpatentable over Uchida (U.S. Patent No. 6,751,734) in view of Kuth (U.S. Patent No. 6,684,093). Applicants respectfully traverse this rejection.

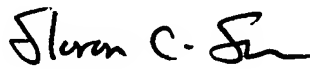
Applicants respectfully assert that while the present dependent claims are patentable by virtue of their dependency on an allowable independent claim, the dependent claims are also patentable because of the subject matter they separately recite. Moreover, the secondary references cited by the Examiner do not obviate the deficiencies discussed above. Accordingly, Applicants respectfully request withdrawal of the rejections under § 103.

Conclusion

Applicants respectfully submit that all pending claims should be in condition for allowance. However, if the Examiner believes certain amendments are necessary to clarify the present claims or if the Examiner wishes to resolve any other issues by way of a telephone conference, the Examiner is kindly invited to contact the undersigned attorney at the telephone number indicated below.

Respectfully submitted,

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